UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/422,280	10/20/1999	NEIL DASWANI	P3907	5351

24739 7590 02/02/2004

CENTRAL COAST PATENT AGENCY
PO BOX 187
AROMAS, CA 95004

EXAMINER	
STULBERGER, CAS P	

ART UNIT	PAPER NUMBER
2132	6

DATE MAILED: 02/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/422,280	DASWANI ET AL.	
	Examiner	Art Unit	
	Cas Stulberger	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 November 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 October 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *3* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. This action is responsive to communications: application, filed 10/20/1999; amendment filed 11/13/2003.

2. Claims 1-10 are pending in the case. Claims 1 and 6 are independent claims.

Response to Amendment

3. Applicant argues that the use of Hunnicut always has to log on with at least a user name. Epstein however discloses that the identification is provided by a token without having to enter a user name or password (Epstein: page 2, paragraph 0020). This meets the limitation of log-in without requesting a user name and password. It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of log-in as disclosed by Hunnicut with the method of user authentication and access control by using a token as disclosed by Epstein in order to alleviate the necessity of the user providing this identification via a separate process (Epstein: page 2, paragraph 0020).

Applicant also argues that Hunnicut does not teach of sending the P-token once generated back to the PD for storage. Hunnicut discloses that the user-token (P-token) is stored on RAM of the server or another suitable storage device (Hunnicut: column 4, lines, 8-10). Epstein discloses that the token is stored on a token device (Epstein: Abstract). This meets the limitation of the P-token is stored on the PD. It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of log-in as disclosed by Hunnicut with the method of user authentication and access control by using a token as disclosed by Epstein in

order to alleviate the necessity of the user providing this identification via a separate process (Epstein: page 2, paragraph 0020).

In view of the rejections and response to arguments above, the prior art rejections are maintained. The grounds of rejection as set forth in the previous office action is reproduced below.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent not 5,889,952 to Hunnicutt et al in view of U.S. Patent Application Publication 2002/0124176 A1 to Epstein.

In regards to claims 1 and 6, Hunnicutt discloses that when a user "logs-on" to an operating system the user supplies their user-name and password. If the operating system recognized the user then a unique user-token is generated by the system and the user-token is added to a user-token cache. At subsequent "log-ons" by the same user, the system returns the same user-token from the user-token cache (Hunnicutt: column 2, lines 25-30). This meets the limitation of "a password code (P-token) generator; and upon a log-in request signal to the IH from the PD, the IH opens a communication link to the network server, requests the P-token

from the PD." Figure 2 also discloses a database that lists user name, password, and user-tokens. However Hunnicutt does not disclose a location token generator.

Epstein discloses using biometric information for authentication and access control which is facilitated by the use of a token device (Epstein: Abstract). The token may also include a location identifier, such as a GPS device, and the access system is used to track the location of each individual (Epstein: paragraph 0035). This meets the limitation of "including a location token generator and a storage location reserved for the H-token."

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the log-on system as disclosed by Hunnicutt with the method of using a location identifier as disclosed by Epstein in order to track the location of each individual (Epstein: paragraph 0035).

In regards to claims 2, 3, 7, and 8, Hunnicutt discloses that when the user "logs-on" the user supplies a user-name and password. The operating system recognizes the user and then a unique user-token is generated by the system. At subsequent log-ons by the same user the system returns the same user-token from the user-token cache (Hunnicutt: column 2, lines 25-20). This meets the limitation of "wherein the first time subscriber requests log-in from a PD having no valid stored P-token, the network server requests the subscriber's user name and password, then creates a P-token, which is transmitted to the IH, and from the IH to the PD where the PD stores the P-token for future log-in operations." However Hunnicutt does not disclose an H-token.

Epstein however discloses that the token may also include a location identifier (Epstein: paragraph 0035). This meets the limitation of an H-token.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of creating a P-token as disclosed by Hunnicutt with the method of the token including a location identifier as disclosed by Epstein in order to track the location of each individual (Epstein: paragraph 0035).

In regards to claims 4 and 9, Hunnicutt does not disclose refusing to log-in the user if the token is not valid.

Epstein discloses that an absence of the token precludes access (Epstein: paragraph 0009, last line).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of loging-in as disclosed by Hunnicutt with the method of denying access without a valid token as disclose by Epstein in order to preclude access to the system without the token (Epstein: Abstract).

In regards to claims 5 and 10, Hunnicutt discloses that a user requests a resource on a server which maybe local to the server or may be communicating over a network with the server. The network includes local-area networks, intranet networks, and the Internet as well as any other networked computing environments (Hunnicutt: column 1, lines 12-15).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cas Stulberger whose telephone number is (703) 305-8034None. The examiner can normally be reached on Monday - Friday, 9:00A.M. - 5:00P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications, (703) 746-7240 for drafts, and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

CS
CS
January 23, 2004

THOMAS R. PEESO
PRIMARY EXAMINER